

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION
Criminal No.: 22-CR-207 (JRT/ECW)**

| | | |
|---------------------------|---|----------------------------------|
| United States of America, |) | |
| |) | |
| Plaintiff, |) | DEFENDANT’S MOTION FOR |
| v. |) | SUPPRESSION AND DISMISSAL |
| |) | DUE TO ENTRAPMENT AND |
| Justin White, |) | OUTRAGEOUS GOVERNMENT |
| |) | CONDUCT |
| Defendant. |) | |

Defendant, Justin White, by and through his attorney, James M. Ventura, respectfully moves this Court for an Order suppressing all of the evidence seized during the execution of warrants that were obtained in violation of his Constitutional Rights, and for dismissal of the indictment.

1. The search warrant applications contained a misstatement by law enforcement officers. There was no “tip” regarding the sale of the pill press machine by LFA Machines. Rather, the DEA, Diversion Control Headquarters in Virginia, was made aware of the proposed sale, and then informed a local law enforcement task force.
2. Law enforcement, (the DEA, or local taskforce), could have acted to stop the sale, delivery, or post-delivery transportation of the pill press. The government agents knew that the proposed purchaser did not use their true identity.
3. The pill press machine seized during the execution of a search warrant is a difficult to obtain, governmentally regulated device that in the wrong hands could result in dangerous, criminal activity.

4. The government allowed Justin White to possess the pill press machine, so that “fact” could be included in the affidavits used to apply for the search warrants of his car and apartment 1515, 95 10th Street South, Minneapolis, MN 55403. In doing so, law enforcement created or substantially increased probable cause for the issuance of the warrants.

All of the foregoing governmental action, and inaction constitutes entrapment, and outrageous governmental conduct.

Dated: February 15, 2023

Respectfully submitted,

/s/ James M. Ventura

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